

AMENDMENT TO THE CLAIMS

A complete listing of the claims is as follows:

Claim 1. (*Previously Presented*) An article of footwear comprising:

an upper;

a bottom assembly;

the upper comprising a liner assembled together along a first longitudinal assembly seam and a second vertical or substantially vertical assembly seam, both said seams being arranged on a lateral side of the upper of the article of footwear and being the only seams for assembling the liner together;

the liner comprising a slipper including a vamp and a sole;

on said lateral side of said upper, said vamp being attached to said sole by means of said longitudinal assembly seam between a free edge of said sole of said slipper and a lower edge of said vamp.

Claim 2. (*Original*) An article of footwear according to claim 1, wherein:

the upper comprises a heel stiffener arranged on an exterior of said upper.

Claim 3. (*Original*) An article of footwear according to claim 2, wherein:

the upper comprises a heel area;

an outer gusset in the heel area adapted to receive the heel stiffener.

Claim 4. (*Original*) An article of footwear according to claim 3, wherein:

foam is housed within the gusset, between the upper and the heel stiffener.

Claim 5. (*Previously Presented*) An article of footwear according to claim 4, wherein:

the upper comprises an extensible and ventilated material.

Claim 6. (*Previously Presented*) An article of footwear according to claim 5, wherein:
the extensible and ventilated material of the upper is covered by an outer protective layer made of a fine mesh type of material in a front portion of the upper.

Claim 7. (*Previously Presented*) An article of footwear according to claim 6, wherein:
the outer protective layer is attached to the extensible and ventilated material of the upper in an area of the bottom assembly.

Claim 8. (*Original*) An article of footwear according to claim 6, wherein:
the outer protective layer extends from a front to an area of the gusset.

Claim 9. (*Original*) An article of footwear according to claim 7, wherein:
the outer protective layer extends from a front to an area of the gusset.

Claim 10. (*Previously Presented*) An article of footwear according to claim 1, wherein:
two tightening quarters are arranged on medial and lateral sides of the upper, respectively, each of the tightening quarters being attached at a lower end to the upper in an area of the bottom assembly, and each of the tightening quarters being provided at an upper end with lacing guides.

Claim 11. (*Original*) An article of footwear according to claim 1, wherein:
a shock absorbing sole is arranged on the exterior of the upper, between the upper and the bottom assembly.

Claim 12. (*Previously Presented*) An article of footwear according to claim 10, wherein:
the two tightening quarters are assembled to the liner by seams.

Claim 13. (*Previously Presented*) An article of footwear according to claim 10, wherein:
the two tightening quarters are assembled to the liner by stitching.

Claim 14. (*Previously Presented*) An article of footwear according to claim 1, wherein:
the longitudinal assembly seam and the substantially vertical assembly seam are both
stitched seams.

Claim 15. (*Previously Presented*) An article of footwear according to claim 1, wherein:
the bottom assembly comprises an outer sole.

Claims 16 – 18. (*Canceled*)

Claim 19. (*Previously Presented*) An article of footwear comprising:
a bottom assembly including an outer sole;
an upper comprising:
a liner, said liner having a vamp and a sole and being fixed with
regard to other parts of the article of footwear against withdrawal from the article of footwear;
the sole of the liner having a periphery;
a first predetermined length of the periphery of the sole of the liner
being made as one piece with the vamp, said predetermined length being located only on a medial
side of the article of footwear;
a second predetermined length of the periphery extending along a
lateral side of the article of footwear and being stitched to the vamp at a first assembly seam;
the liner being further assembled together by means of a second
assembly seam, said second assembly seam comprising an upwardly extending stitching on the
lateral side of the article of footwear;
the liner being assembled together only by means of the first and
second assembly seams;
a tightening system assembled to said liner for tightening the article of footwear to a
foot of a wearer.

Claim 20. (*Previously Presented*) An article of footwear according to claim 19, wherein:
said tightening system comprises a lacing system.

Claim 21. (*Previously Presented*) An article of footwear according to claim 19, wherein:
said liner further comprises an elongated opening in an area of the article of footwear for passage of a foot of a wearer of the article of footwear, said area corresponding to a top of the foot of the wearer;
said tightening system including laces extending in a lacing pattern over said elongated opening.

Claim 22. (*Currently Amended*) An article of footwear comprising:
a bottom assembly;
an upper comprising:
an inner layer comprising an extensible, ventilated, textile material;
and
an outer protective covering layer positioned over said extensible, ventilated textile material at a front section of the upper, said outer protective cover layer comprising a fine mesh lattice material for preventing penetration of foreign material to said extensible, ventilated, textile material;
said extensible, ventilated, textile material of said inner layer comprising a vamp and a sole, said material extending rearwardly to a heel zone of the article of footwear;
at a rear end of the heel zone, the extensible, ventilated, textile material having no upwardly extending assembly seam.

Claim 23. (*Previously Presented*) An article of footwear according to claim 22, wherein:
said front section of the upper extends from a front end at least through an area of the upper for passage of the foot of the wearer of the article of footwear, said area corresponding to a top of the wearer's foot.

Claim 24. (*Previously Presented*) An article of footwear according to claim 22, wherein:

said outer protective cover layer is made of a nondeformable material.

Claim 25. (*Previously Presented*) An article of footwear according to claim 22, wherein:

said outer protective cover layer is made of NYLON.

Claim 26. (*Previously Presented*) An article of footwear according to claim 22, further comprising:

a reinforcing gusset assembled to the upper in a heel zone, said gusset extending forwardly on lateral and medial sides of the article of footwear toward the outer protective covering layer.

Claim 27. (*Previously Presented*) An article of footwear according to claim 22, further comprising:

a reinforcing gusset assembled to the upper in a heel zone, said gusset extending forwardly on lateral and medial sides of the article of footwear to the outer protective covering layer.

Claim 28. (*Canceled*)

Claim 29. (*Currently Amended*) An article of footwear comprising:

a bottom assembly;

an upper comprising:

an inner layer comprising an extensible, ventilated, textile material;

an outer protective covering layer positioned over said extensible, ventilated textile material at a front section of the upper, said outer protective cover layer comprising a fine mesh lattice material for preventing penetration of foreign material to said extensible, ventilated, textile material;

on a medial side of the upper and at a rear end of the upper, no seam extending upwardly from the bottom assembly through said extensible, ventilated, textile material of the upper.

Claim 30. (*Previously Presented*) An article of footwear according to claim 22, wherein:

on a medial side of the upper, no seam extends upwardly from the bottom assembly through said extensible, ventilated, textile material of the upper.

Claim 31. (*Previously Presented*) An article of footwear according to claim 22, further comprising:

a heel strap extending over said rear portion of said extensible, ventilated, textile material, said heel strap extending rearwardly and upwardly on each of lateral and medial sides of the upper.

Claim 32. (*Currently Amended*) An article of footwear comprising:

a bottom assembly;

an upper comprising:

an inner layer comprising an extensible, ventilated, textile material;

an outer protective covering layer positioned over said extensible, ventilated textile material at a front section of the upper, said outer protective cover layer comprising a fine mesh lattice material for preventing penetration of foreign material to said extensible, ventilated, textile material;

said extensible, ventilated, textile material of said inner layer being adapted to enclose toes of a wearer, includes a sole, and extends rearwardly to an area behind a heel of the wearer;

at a rear end of the area behind a heel of the wearer, said extensible, ventilated, textile material of said inner layer having no upwardly extending assembly seam.

Claim 33. (*Previously Presented*) An article of footwear according to claim 32, wherein:

on a medial side of the upper, no seam extends upwardly from the bottom assembly through said extensible, ventilated, textile material of the upper.

Claim 34. (*Previously Presented*) An article of footwear according to claim 32, further comprising:

a heel strap extending over said rear portion of said extensible, ventilated, textile material, said heel strap extending rearwardly and upwardly on each of lateral and medial sides of the upper.

Claim 35. (*Currently Amended*) An article of footwear according to claim 22, wherein:
the ~~liner~~ inner layer is an integral part of the article of footwear, fixed against removal for wear separate from the article of footwear.

Claim 36. (*Currently Amended*) An article of footwear according to claim 22, wherein:
the ~~liner~~ inner layer is stitched in placed as an integral part of the article of footwear.

Claim 37. (*Previously Presented*) An article of footwear according to claim 22, wherein:
said bottom assembly includes an outer sole.

Claim 38. (*Previously Presented*) An article of footwear according to claim 37, further comprising:
an inner sole beneath the upper and above the outer sole.

Claim 39. (*Previously Presented*) An article of footwear according to claim 38, wherein:
no inner sole is positioned inside the upper.

Claim 40. (*Previously Presented*) An article of footwear according to claim 11, wherein:
no inner sole is positioned inside the upper.

Claim 41. (*Previously Presented*) An article of footwear according to claim 1, wherein:
said vertical or substantially vertical assembly seam is not on a medial side of the upper.

Claim 42. (*Canceled*)

Claim 43. (*Canceled*)

Claim 44. (*Previously Presented*) An article of footwear according to claim 1, wherein:
said vamp and said sole of said liner are embodied as a one-piece construction.

Claim 45. (*Canceled*)

Claim 46. (*Canceled*)

Claim 47. (*Previously Presented*) An article of footwear according to claim 1, further comprising:
a comfort tongue attached to said upper in an area above a foot of a wearer of the article of footwear.

Claims 48 – 52. (*Canceled*)

Claim 53. (*New*) An article of footwear according to claim 22, wherein:
said vamp includes a lower periphery;
a stitched assembly seam between the vamp and the sole of the inner layer extends along less than an entirety of said lower periphery of said vamp.

Claim 54. (*New*) An article of footwear according to claim 29, wherein:
said extensible, ventilated, textile material includes a lower periphery;
a stitched assembly seam extends along less than an entirety of said lower periphery
of the extensible, ventilated, textile material.

Claim 55. (*New*) An article of footwear according to claim 32, wherein:
said extensible, ventilated, textile material includes a vamp having a lower periphery;
a stitched assembly seam between the vamp and the sole of the inner layer extends
along less than an entirety of said lower periphery of said vamp.

Claim 56. (*New*) An article of footwear according to claim 29, wherein:
said bottom assembly includes an outer sole.

Claim 57. (*New*) An article of footwear according to claim 56, wherein:
no inner sole is positioned inside the upper.

Claim 58. (*New*) An article of footwear according to claim 56, wherein:
a bottom surface of a wearer's foot is adapted to be positioned next to the inner layer
when the article of footwear is worn.

Claim 59. (*New*) An article of footwear according to claim 32, wherein:
said bottom assembly includes an outer sole.

Claim 60. (*New*) An article of footwear according to claim 59, wherein:

no inner sole is positioned inside the upper.

Claim 61. (*New*) An article of footwear according to claim 59, wherein:

a bottom surface of a wearer's foot is adapted to be positioned next to the extensible, ventilated, textile material when the article of footwear is worn.

Claim 62. (*New*) An article of footwear according to claim 22, wherein:

said bottom assembly includes an outer sole;

a shock-absorbing comfort sole is positioned beneath the extensible, ventilated, textile material and above the outer sole.

Claim 63. (*New*) An article of footwear according to claim 29, wherein:

said bottom assembly includes an outer sole;

a shock-absorbing comfort sole is positioned beneath the extensible, ventilated, textile material and above the outer sole.

Claim 64. (*New*) An article of footwear according to claim 32, wherein:

said bottom assembly includes an outer sole;

a shock-absorbing comfort sole is positioned beneath the extensible, ventilated, textile material and above the outer sole.